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09/613,980	07/11/2000	Leonard E. Marchese	11590/9-1268	1815

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EXAMINER

DINH, KHANH Q

ART UNIT PAPER NUMBER

2155

DATE MAILED: 12/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/613,980

Applicant(s)

MARCHESE, LEONARD E.

Examiner

Khanh Dinh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This is in response to the Amendment filed on 9/22/2003 (paper #4). Claims 1-20 are cancelled. New claims 21-38 are presented for examination.

***Claim Objections***

2. Claims 26 and 36 are objected to because of the following informalities:  
  
In claim 26 (page 3, line 12 word 12), "setable" should be changed to "*settable*".  
  
In claim 36 (page 5 line 12 word 2), "uses" should be changed to "*users*".  
  
Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 21-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Fulton et al., US pat. No.6,182,052.

As to claim 21, Fulton discloses a system for organizing and assembling information and resources, and for displaying user selected information and user selected resources as an electronic space supported on a network, the system comprising:

a host/server (12 fig.1) disposed on a network (see fig.1).

a plurality of devices (11, 21, 20 fig.1) connectable to the host/server (12 fig.1) via the network and for generating a plurality of individualized electronic spaces, each electronic space display as a virtual room on display devices of each of the plurality of users (i.e., creating user friendly terminals using "touch screens", see abstract, fig.1, col.4 line 7 to col.5 line 12).

means for each user to configure an individual room by selecting graphic, textual and application information and resources for display in an individualized room, each configured and displayed as selectable iconic images located in the individualized room (i.e., recording user input data including user choice selections, see fig.1A, col.5 lines 13-62 and col.7 lines 4-50).

means for each user to access the individualized electronic room and actuating the selected iconic images for accessing the graphic, textual and application information and resources within the individual electronic room space, storing and displaying the individualized electronic spaces (i.e., processing information data using user terminals with touch screens, see fig.s2, 3, col.5 line 63 to col.6 line 26).

As to claim 22, Fulton discloses processing means, communication means and storage means (see fig.1, col.4 line 7 to col.5 line 62).

As to claim 23, Fulton discloses an intelligent agent application supported on the host/server for interacting with each user accessing an individualized electronic room (see fig.1A, col.6 lines 4-62).

As to claim 24, Fulton discloses generating at least one common electronic room configured for computer generated display as a virtual room, and being accessible by the selected users, and supporting interactive communication between the selected users within the common room, displayed on each selected user's local display data (user's screens) (i.e., providing terminal accesses to a particular services, see fig.2, 3, col.5 line 37 to col.6 line 64 and col.7 lines 4-50).

As to claim 25, Fulton discloses the selected resources are selected from the group containing of search engines, databases, experts, technical information, work processing applications, presentation applications, planning applications and communication applications (see col.5 line 37 to col.6 line 64 and col.7 lines 4-50).

As to claim 26, Fulton discloses generating at least one common electronic space that is accessible by a user comprising:

A computer generated image of a room viewable on a display device (11 fig.1), the room image containing selected graphical and textual information displayed as decorative images in the room image, one or more images being settable as one or more images activatable to access at least one selected resource or software application (see fig.1, abstract, col.4 line 7 to col.5 line 12), each actively accessible selected resources or software applications being usable within a room image (user's screen) displayed as images of furnishings in the room, wherein a user creates an

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interactive and individual computer generated room image furnished with selected decorative images and selected furnishing images (i.e., processing information data using user terminals with touch screens, see fig.2, 3, col.5 line 63 to col.6 line 26 and col.11 line 1 to col.12 line 42).

As to claim 27, Fulton discloses the iconic images representing active transport links between a plurality of electronic room spaces, a user can move from one electronic room to another electronic room by actuating an associated transport link (see figs15, 16, col.11 line 1 to col.12 line 42).

As to claim 28, Fulton discloses at least one active transport link image is selected from the group consisting of a door image, a painting image and a photograph image (see figs15, 16, col.11 line 1 to col.12 line 42).

As to claim 29, Fulton discloses a computer generated image of a common room area simultaneously viewable on a plurality of display devices and being accessible by multiple users to be visually represented within the common room area for interactive communication (see figs 15, 16, col.6 line 42 to col.7 line 50 and col.11 line 1 to col.12 line 64).

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As to claim 30, Fulton discloses processing means, communication means, and storage means and means to generate and display the room image (see figs.1, 15, col.4 line 7 to col.5 line 62 and col.9 line 7 to col.10 line 45).

As to claim 31, Fulton discloses the electronic space is supported on the network by at least one data processing device having processing means, data storage means, communication means, and means to generate and display the room image (see col.11 line 1 to col.12 line 42).

As to claim 32, Fulton discloses a method of a computer based processing system to enhanced creating thinking comprising:

- providing a data processing system (fig.1).

- using the data processing system to generate an electronic space represented as an image of a room viewed on a computer display device (11 fig.1) (see abstract, col.4 line 7 to col.5 line 12).

- configuring the electronic space to contain activatable represented as icons within the room, linked to a plurality of data resources, human resources and software applications (see col.4 line 7 to col.5 line 62).

- selecting activatable links (using catalog shopping services) to the resources selected by the user and using the resource within the room space (see figs.1, 15, col.9 line 6 to col.10 line 58 and col.11 lines 3-67).

As to claim 33, Fulton discloses an intelligent agent application programmed for interaction with the user within the electronic room space and to select the activatable links for incorporation in the electronic room space (see figs.1, 15, col.9 line 6 to col.10 line 58 and col.11 lines 3-67).

As to claim 34, Fulton discloses each recipient (user) having a computer-generated display of the room image on a local display device within an electronic space (see figs.1, 15, col.9 line 6 to col.10 line 58 and col.11 lines 3-67).

As to claim 35, Fulton discloses the intelligent agent application within the electronic room space to transform user input within the electronic space (see figs.1, 15, col. 4 line 14 to col.5 line 62 and col.11 lines 3-67).

Claim 36 is rejected for the same reasons set forth in claim 29.

As to claim 37, Fulton further discloses generating user selected iconic representations of activatable links to user entertainment resources (entertainment services) (see figs.4, 16, col.7 line 4 to col.8 line 54 and col.12 lines 4-61).

As to claim 38, Fulton discloses a method for facilitating generating a solution to a problem comprising:



providing a customizable generated electronic space displayed as a room image supported on a network and having integrated therein means to select resources for access via the icons displayed in the room image (see abstract, figs. 1, 15, col. 4 line 7 to col. 5 line 12 and col. 9 line 7 to col. 10 line 45).

Identifying members of the group and connecting the members of the group to the room image and providing means for the group members to simultaneously interact within the room displayed on each member's local display device (user screens) (see col. 5 line 13 to col. 6 line 26).

Using selected resources in the virtual room and interacting within the room to generate at least one solution to the problem and evaluating at least one solution using selected resources (see fig. 4 lines 4-50, col. 7 line 51 to col. 8 line 54 and col. 9 lines 7-67).

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 21-38 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Claims 21-38 are *rejected*.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam Hosain, can be reached on (703) 308-6662. The fax phone number for this group is (703) 872-9306.

*A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to response within the period for response will cause the application to become abandoned (35 U. S. C . Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

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Khanh Dinh  
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11/22/2003

  
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SUPERVISORY PATENT EXAMINER